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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-8158-2023

Decided on:-21.02.2023

Avtar Sikngh @ Tar @ Avtar Singh

....Petitioner..

vs.

State of Punjab

....Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Shubham Mehta, Advocate for
Mr. Vivek Singla, Advocate,
for the petitioner.

Mr. Tarun Aggarwal, Sr. DAG, Punjab,
for respondent-State.

HARKESH MANUJA J. (Oral)

By way of present petition, the petitioner prays for grant of regular bail during pendency of trial in case FIR No.0152 dated 15.12.2022, under Sections 25/54/59 of Arms Act, 1959, registered at Police Station Jaitu, District Faridkot.

Learned counsel for the petitioner submits that the investigation in the present case already stands concluded with the filing of challan on 13.02.2023 and thus, further custody of the petitioner is not required, as the trial is likely to take some time, there being 10 witnesses cited by the prosecution.

On the other hand, learned State counsel opposes the prayer made in the present petition by submitting that the petitioner was even arrayed as an accused in one another FIR No.39 dated 14.03.2010, under

Sections 457, 380 and 411 IPC, Police Station Khuyian and, thus, prays for dismissal of present petition.

I have heard learned counsel for the parties and gone through the paper book. I find merits in the submissions made on behalf of the petitioner.

Considering the facts that the investigation in the present case already stands concluded with the filing of challan, the trial is likely to take some time and considering the age as well as the fact that in the trial arising out of FIR No.39 dated 14.03.2010, the petitioner was acquitted by the trial court, as per the custody certificate furnished by learned State counsel in Court today, which is taken on record, further custody of the petitioner appears to be unjustified.

In view of the above, without expressing any opinion on the merits of the case, the present petition is allowed. Petitioner is ordered to be released on bail, subject to his furnishing bail bonds and surety bonds to the satisfaction of the concerned trial Court/Duty Magistrate.

21.02.2023

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(HARKESH MANUJA)**JUDGE**

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/ No